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8 U.S. DEPARTMENT OF EDUCATION

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

11 OAKLAND DIVISION

12 US RIGHT TO KNOW, ) No. 4:20-cv-09117-DMR  
13 Plaintiff, )  
14 v. )  
15 UNITED STATES DEPARTMENT OF )  
EDUCATION, )  
16 Defendant. )  
17 \_\_\_\_\_)

18 Plaintiff US Right to Know (“Plaintiff”) and defendant United States Department of Education  
19 (“Defendant” or “Education Department”), by and through their undersigned counsel, hereby  
20 STIPULATE and respectfully REQUEST that the Court extent the parties’ time to meet and confer  
21 regarding Plaintiff’s demand for attorneys’ fees and costs from February 13, 2023 until March 13, 2023.  
22 This stipulation is based on the following facts:

23 1. This action, filed on December 17, 2020 under the Freedom of Information Act  
24 (“FOIA”), concerns one FOIA request that Plaintiff directed to the Education Department, dated July 6,  
25 2020. ECF No. 1 ¶ 35; ECF No. 11 ¶ 35. The request sought certain records that the University of  
26 Texas System submitted to the Education Department pursuant to the Education Department’s request.  
27 ECF No. 1 ¶ 36 & Ex. B. As the parties previously reported to the Court, the Education Department  
28 completed its production of records and Plaintiff has confirmed that it has no issues concerning the

STIPULATION AND [PROPOSED] ORDER

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1 Education Department's production. Accordingly, as set forth in the Court's order granting the parties'  
2 stipulation regarding case management and FOIA record production, entered April 15, 2021 ("Order"),  
3 ECF No. 21 ¶ 6, the parties have sixty (60) days to meet and confer in good faith regarding Plaintiff's  
4 entitlement to reasonable attorneys' fees and costs, i.e., until February 13, 2023.

5 2. The parties previously stipulated to, and this Court ordered, a continuance of the parties'  
6 initial case management conference ("CMC") from January 4, 2023 until April 5, 2023 so the parties  
7 could participate in this meet and confer process. ECF No. 38. Since that time, Plaintiff and the  
8 Education Department have exchanged an offer, counteroffer, and response to that counteroffer, which  
9 the Education Department is currently considering and intends to respond to by February 24, 2023.

10 3. Given the meet and confer deadline of February 13, 2023 set forth in the Order, the  
11 parties hereby stipulate and respectfully request that the Court extend the parties' time to meet and  
12 confer regarding Plaintiff's entitlement to attorneys' fees and costs by one month, from February 13,  
13 2023 until March 13, 2023, so that they may continue this process.

14 SO STIPULATED.

15 Respectfully submitted,

16 STEPHANIE M. HINDS  
17 United States Attorney

18 Dated: February 10, 2023 By: /s/ Savith Iyengar  
19 SAVITH IYENGAR  
Assistant United States Attorney  
Attorney for Defendant

21 PUBLIC JUSTICE

22 Dated: February 10, 2023 By: \*\*/s/ Daniel C. Snyder  
23 DANIEL C. SNYDER  
Attorney for Plaintiff

24 SHUTE, MIHALY & WEINBERGER LLP

25 Dated: February 10, 2023 By: \*\*/s/ Laura D. Beaton  
26 LAURA D. BEATON  
Attorney for Plaintiff

28 \*\* Pursuant to Civ. L.R. 5-1(h)(3), the filer of the document  
has obtained approval from this signatory.

1 **[PROPOSED] ORDER**  
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7 IT IS HEREBY ORDERED that the parties' time to meet and confer regarding Plaintiff's  
8 demand for attorneys' fees and costs is extended by one month, from February 13, 2023 until March 13,  
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Dated: February 13, 2023

  
7 DONNA M. RYU  
8 United States Magistrate Judge  
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